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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,088	08/20/2001	Juergen Schlesinger	1717	6643

7590 05/24/2005

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EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 05/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/933,088

Applicant(s)

SCHLESINGER ET AL.

Examiner

Shawki S. Ismail

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Januray 10, 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

RESPONSE TO AMENDMENT

1. This communication is responsive to the amendment filed on January 10, 2005. Claims 1-11 and new claim 12 remain for further examination. Applicants' arguments with respect to claims 1-11 have been fully considered.

The Old rejection maintained

2. The rejection is respectfully maintained as set forth in the last Office Action mailed on October 21, 2004. Applicants' arguments with respect to claims 1-11 have been fully considered but they are not persuasive and the old rejection is maintained.

Claim Rejections - 35 USC §102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-5, 8-10 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by **Remer et al, (Remer) U.S. Patent No. 6,742,039**.

5. As to claim 1, Remer teaches a method of establishing a data connection between a first computing device and a second computing device (col. 3, lines 40-50, remote computer 20c tries to establish communication with local computer 20a), comprising the steps of:

establishing a data connection to a second computing device through a third computing device (col. 3, lines 40-50, arbitrator 20b);

supplying from the first computing device a query signal to the third computing device (col. 3, lines 40-43, remote computer 20c sends a request for local computer 10 to arbitrator 20a);

testing the query signal by the third computing device (col. 3, lines 50-64, arbitrator 20a performs a certification process in order to establish validity of the request from the remote computer 20c);

supplying by the third computing device, when a predetermined query signal is available, the query signal to a fourth computing device (col.3, line 65 – col. 4, lines 13, arbitrator forwards the request from remote computer 20c to connection entity 10b);

testing the query signal by the fourth computing device (col. 4, line 51 – col.5, line 4, connection entity 10b checks for valid requests from the arbitrator 20b); and

establishing by the fourth computing device when a predetermined parameter is available through the third computing device a data connection between the first and the second computing device (col. 4, line 51 – col.5, line 4, connection entity 10b checks for valid requests from the arbitrator 20b then establishes a connection with the local computer 10a.)

6. As to claim 2, Remer teaches the method as defined in claim 1, and further comprising before the establishing a data connection, testing by the third and/or the fourth computing device an access readiness of the first computing device, and allowing a data connection when the access readiness is provided (col. 3, lines 50-64, arbitrator

20a performs a certification process in order to establish validity of the request from the remote computer 20c).

7. As to claim 3, Remer teaches the method as defined in claim 2, and further comprising performing by the fourth computing device a testing of the access readiness (col.3 line 65 – col. 4, line13); establishing a data connection to the second computing device through the third computing device by the fourth computing device when the access readiness is provided (col. 4, lines 35-42); and allowing by the third computing device the data connection between the fourth computing device and the second computing device without testing an access readiness (col. 5, lines 5-15.)

8. As to claim 4, Remer teaches the method as defined in claim 1; and further comprising providing in the query signal a target address and a sender address; changing by the fourth computing device the sender address into an own address; and sending by the fourth computing device the query signal through the third computing device as the target address (col.3, line 65 – col.4, line 13 and col. 4, lines 51-67.)

9. As to claim 5, Remer teaches the method as defined in claim 1; and further comprising supplying by the first computing device an establishment signal with a sender address of the first computing device through the third computing device; transmitting by the third computing device the establishment signal to the fourth computing device; converting by the fourth computing device the sender address into an own address and supplying the changed establishment signal through the first computing device to the second computing device as a target address; sending by the second computing device an answer signal to the fourth computing device as a target

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address through the third computing device; providing in the answer signal as a sender signal the address of the second computing device; changing by the fourth computing device the target address of the answer signal into the address of the first computing device; changing by the fourth computing device the sender address into the address of the fourth computing device; and sending by the fourth computing device subsequently the changed answer signal through the third computing device to the first computing device (col.3, lines 14-23 and col. 4, lines 51-67.)

10. As to claim 8, it contains similar limitations as in claim 1; therefore, it is rejected under the same rationale.

11. As to claim 9, it contains similar limitations as in claim 5; therefore, it is rejected under the same rationale.

12. As to claim 10, it contains similar limitations as in claim 3; therefore, it is rejected under the same rationale.

13. As to claim 12, it contains a combined limitation of claims 1 and 5; therefore, it is rejected under the same rationale.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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15. Claims 6, 7, and 11, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Remer et al, (Remer)** U.S. Patent No. **6,742,039** and in view of **Coley et al., (Coley)** U.S. Patent No. **6,061,798**.

16. As to claims 6, 7, and 11 Remer teaches the method as defined in claim 1 wherein the data connection between a remote computer and local computer are established through the help of an arbitrator and a connection entity. Remer teaches where the remote computer supplies information to the arbitrator in regards to the request (col. 4, lines 14-23.)

However, Remer does not explicitly teach wherein the supplied information includes an alias name.

Coley teaches a firewall element for protecting network elements connected to a public network by addressing them according to an alias rather than by their IP addresses. The firewall contains an alias name corresponding to each computer on the network (col. 13, lines 16-24.)

It would have been obvious to one of ordinary skill in the art at the time of the applicants was made to incorporate the teaching of Coley as stated above with the network connection of Remer for including an alias name with the supplied information because it would have increased security of the network. Firewalls identified each computer's alias name with its corresponding IP address

Response to Arguments

17. Applicants' arguments with respect to claims 1-11 filed on January 10, 2005 have been fully considered but they not deemed to be persuasive.

18. In the remarks, the applicant argues in substance that:

(A) Argument: Remer fails to disclose features of independent claim 1 and 8 and the arrangement functions are completely different as compared to the instant application. (page 9-11 of the remarks).

Response: As was explained to applicant's representative in a personal interview on February 8, 2005, applicant misinterpreted the Office Action sent on October 21, 2204. The cited reference to Remer disclose a method where a first computing device (remote computer) tries to communicate with a second computing device (local computer) over a third computing device (trusted arbitrator) and a fourth computing device (the entity that houses the ACM and the connection entity). This arrangement functions similarly as the arrangements of the present invention and therefore, meets the scope of the claimed limitation (see Fig. 3, and col. 3, lines 40-50).

(B) Argument: Remer does not disclose any information regarding the address being converted by the fourth computing device into its own address and supplying the changed establishment signal to the second computing device as a target address.

Response: Remer discloses a fourth computing device which contains both ACM and connection entity (col. 3, lines 27-30). Remer further discloses that ACM is an access controlling mechanism such as a proxy server or simply a proxy (col. 1, lines 61-66). A proxy by definition is an application that runs on a gateway that relays packets between

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a trusted client and an untrusted host. a proxy accepts requests from the trusted client for specific internet services and then acts on behalf of this client by establishing a connection for the requested service. The request appears to originate from the gateway running the proxy (changes the address of the client into it's own address), rather than directly from the client. Since the ACM is a Proxy, Remer meets the scope of the claimed limitation the address being converted by the fourth computing device into its own address and supplying the changed establishment signal to the second computing device as a target address.

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

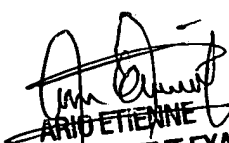
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-

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3985. The examiner can normally be reached on M-F 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
May 20, 2005



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